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Promotion and protection of human rights: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Albania, Argentina, Australia, Austria, Belgium, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Ireland, Israel, Italy, Jordan, Latvia, Lithuania, Luxembourg, Malta, Mexico, Montenegro, Morocco, Netherlands, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, United Kingdom of Great Britain and Northern Ireland: draft resolution

National institutions for the promotion and protection of human rights

The General Assembly,

Recalling its previous resolutions on national institutions for the promotion and protection of human rights, the most recent of which was resolution 64/161 of 18 December 2009, and those of the Commission on Human Rights and the Human Rights Council concerning national institutions and their role in the promotion and protection of human rights,

Welcoming the rapidly growing interest throughout the world in the creation and strengthening of independent, pluralistic national institutions for the promotion and protection of human rights,

Recalling the principles relating to the status of national institutions for the promotion and protection of human rights ("the Paris Principles"),[1]

Reaffirming the important role that such national institutions play and will continue to play in promoting and protecting human rights and fundamental freedoms, in strengthening participation and the rule of law and in developing and enhancing public awareness of those rights and freedoms,

[1] Resolution 48/134, annex.

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Recalling its resolution 65/207 of 21 December 2010 regarding the role of the Ombudsman, mediator and other national human rights institutions in the promotion and protection of human rights,

Recognizing the important role of the United Nations, in particular the Office of the United Nations High Commissioner for Human Rights, in assisting the development of independent and effective national human rights institutions, guided by the Paris Principles, and recognizing also in this regard the potential for strengthened and complementary cooperation among the United Nations, the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights and those national institutions in the promotion and protection of human rights,

Recalling the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on 25 June 1993,[2] which reaffirmed the important and constructive role played by national human rights institutions, in particular in their advisory capacity to the competent authorities and their role in preventing and remedying human rights violations, in disseminating information on human rights and in education in human rights,

Reaffirming that all human rights are universal, indivisible, interrelated, interdependent and mutually reinforcing, and that all human rights must be treated in a fair and equal manner, on the same footing and with the same emphasis,

Bearing in mind the significance of national and regional particularities and various historical, cultural and religious backgrounds, and that all States, regardless of their political, economic and cultural systems, have the duty to promote and protect all human rights and fundamental freedoms,

Recalling the programme of action adopted by national institutions, at their meeting held in Vienna in June 1993 during the World Conference on Human Rights,[3] for the promotion and protection of human rights, in which it was recommended that United Nations activities and programmes should be reinforced to meet the requests for assistance from States wishing to establish or strengthen their national institutions for the promotion and protection of human rights,

Taking note with appreciation of the reports of the Secretary-General to the Human Rights Council on national institutions for the promotion and protection of human rights[4] and on the accreditation process of the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights,[5]

Welcoming the strengthening in all regions of regional cooperation among national human rights institutions and noting with appreciation the continuing work of the European Group of National Human Rights Institutions, the Network of National Institutions for the Promotion and Protection of Human Rights in the Americas, the Asia-Pacific Forum of National Human Rights Institutions and the Network of African National Human Rights Institutions,

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[2] A/CONF.157/24 (Part I), chap. III.

[3] See A/CONF.157/NI/6.

[4] A/HRC/16/76.

[5] A/HRC/16/77.

1. *Takes note with appreciation* of the report of the Secretary-General[6] and the conclusions contained therein;

2. *Reaffirms* the importance of the development of effective, independent and pluralistic national institutions for the promotion and protection of human rights, in accordance with the Paris Principles;[1]

3. *Recognizes* the role of independent national institutions for the promotion and protection of human rights in working together with Governments to ensure full respect for human rights at the national level, including by contributing to follow-up actions, as appropriate, to the recommendations resulting from the international human rights mechanisms;

4. *Welcomes* the increasingly important role of national institutions for the promotion and protection of human rights in supporting cooperation between their Governments and the United Nations in the promotion and protection of human rights;

5. *Recognizes* that, in accordance with the Vienna Declaration and Programme of Action,[2] it is the right of each State to choose the framework for national institutions that is best suited to its particular needs at the national level in order to promote human rights in accordance with international human rights standards;

6. *Encourages* Member States to establish effective, independent and pluralistic national institutions or, where they already exist, to strengthen them for the promotion and protection of all human rights and fundamental freedoms for all, as outlined in the Vienna Declaration and Programme of Action;

7. *Welcomes* the growing number of States establishing or considering the establishment of national institutions for the promotion and protection of human rights, and welcomes, in particular, the growing number of States that have accepted recommendations to establish national institutions compliant with the Paris Principles through the universal periodic review and, where relevant, treaty body monitoring and the special procedures mechanism;

8. *Encourages* national institutions for the promotion and protection of human rights established by Member States to continue to play an active role in preventing and combating all violations of human rights as enumerated in the Vienna Declaration and Programme of Action and relevant international instruments;

9. *Recognizes* the role played by national institutions for the promotion and protection of human rights in the Human Rights Council, including its universal periodic review mechanism, in both preparation and follow-up, and the special procedures, as well as in the human rights treaty bodies, in accordance with Council resolutions 5/1 and 5/2 of 18 June 2007[7] and Commission on Human Rights resolution 2005/74 of 20 April 2005;[8]

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[6] A/66/274.

[7] See *Official Records of the General Assembly, Sixty-second Session, Supplement No. 53* (A/62/53), chap. IV, sect. A.

[8] See *Official Records of the Economic and Social Council, 2005, Supplement No. 3* and corrigenda (E/2005/23 and Corr.1 and 2), chap. II, sect. A.

10. *Welcomes* the strengthening of opportunities to contribute to the work of the Human Rights Council for national human rights institutions compliant with the Paris Principles, as reaffirmed in the Council review outcome document[9] adopted by the General Assembly by its resolution 65/281 of 17 June 2011, and encourages national human rights institutions to exercise this participatory right;

11. *Stresses* the importance of the financial and administrative independence and stability of national human rights institutions for the promotion and protection of human rights, and notes with satisfaction the efforts of those States that have provided their national institutions with more autonomy and independence, including by giving them an investigative role or enhancing such a role, and encourages other Governments to consider taking similar steps;

12. *Urges* the Secretary-General to continue to give high priority to requests from Member States for assistance in the establishment and strengthening of national human rights institutions;

13. *Underlines* the importance of the autonomy and independence of Ombudsman institutions, encourages increased cooperation between national human rights institutions and regional and international associations of Ombudsmen, and also encourages Ombudsman institutions to actively draw on the standards enumerated in international instruments and the Paris Principles to strengthen their independence and increase their capacity to act as national human rights protection mechanisms;

14. *Commends* the high priority given by the Office of the United Nations High Commissioner for Human Rights to work on national human rights institutions, encourages the High Commissioner, in view of the expanded activities relating to national institutions, to ensure that appropriate arrangements are made and budgetary resources provided to continue and further extend activities in support of national institutions, and invites Governments to contribute additional voluntary funds to that end;

15. *Encourages* all United Nations human rights mechanisms as well as agencies, funds and programmes to work within their respective mandates with Member States and national institutions in the promotion and protection of human rights with respect to, inter alia, projects in the area of good governance and the rule of law, and in this regard welcomes the efforts made by the High Commissioner to develop partnerships in support of national institutions, including the emerging tripartite partnership among the United Nations Development Programme, the Office of the United Nations High Commissioner for Human Rights and the International Coordinating Committee;

16. *Welcomes* the important role played by the International Coordinating Committee, in close cooperation with the Office of the United Nations High Commissioner for Human Rights, in assessing conformity with the Paris Principles and in assisting Governments and national institutions, when requested, in strengthening national human rights institutions in accordance with the Paris Principles;

[9] Human Rights Council resolution 16/21, annex.

17. *Encourages* national institutions, including Ombudsman and mediator institutions, to seek accreditation status through the International Coordinating Committee;

18. *Encourages* all Member States to take appropriate steps to promote the exchange of information and experience concerning the establishment and effective operation of national human rights institutions, and to support the work of the International Coordinating Committee and its regional coordinating networks, including through financial contributions to the Office of the United Nations High Commissioner for Human Rights in this regard;

19. *Requests* the Secretary-General to continue to provide the assistance necessary for holding international and regional meetings of national institutions, including meetings of the International Coordinating Committee, in cooperation with the Office of the United Nations High Commissioner for Human Rights;

20. *Also requests* the Secretary-General to report to the General Assembly at its sixty-eighth session on the implementation of the present resolution.